

Application Serial No.: 10/654,892
Reply to Office Action dated June 1, 2005

IN THE DRAWINGS

The attached sheets of drawings include changes to Figs. 1, 2, 4, and 5. These sheets, which include Figs. 1, 2, 4, and 5, replace the original sheets including Figs. 1, 2, 4, and 5.

Attachment: Replacement Sheets

REMARKS

Favorable reconsideration of this application as presently amended and in light of the following discussion is respectfully requested.

Claims 1 and 3-20 are presently active in this case, Claims 1-10 and 13 having been amended, Claim 2 having been canceled without prejudice or disclaimer, and Claims 15-20 having been added by way of the present Amendment.

Care has been taken such that no new matter has been entered. For example, see feature (12) for a non-limiting embodiment of Claims 3 and 15, see feature (13) for a non-limiting embodiment of Claims 16 and 19, and see feature (16) for a non-limiting embodiment of Claims 17 and 20.

In the outstanding Official Action, the drawings were objected to for minor informalities. Submitted concurrently herewith are Replacement Sheets which include changes to Figures 1, 2, 4, and 5 to address the objections. More specifically, Figure 1 has been amended to change "X1-X1" to "IV-IV" and "X2-X2" to "V-V" and Figures 2, 4, and 5 have been amended to use cross-sectional shading that corresponds to the non-limiting embodiments described in the specification. Accordingly, the Applicants request the withdrawal of the objection to the drawings.

The abstract of the disclosure was objected to because of minor informalities. Accordingly, a substitute Abstract of the Disclosure has been added in place of the original abstract. Accordingly, the Applicants request the withdrawal of the objection to the abstract.

The disclosure was objected to for minor informalities. Accordingly, the specification has been amended to change "X1-X1" to "IV-IV" and "X2-X2" to "V-V" where appropriate. The Applicants therefore request the withdrawal of the objection to the disclosure.

The title was objected to as not being descriptive. The title has been changed to "VEHICLE INNER BELT MOLDING AND SEALING STRUCTURE FOR AN ELEVATING WINDOW." Accordingly, the Applicants respectfully request the withdrawal of the objection to the title.

Claims 1-14 were rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The specific grounds for rejection are recited on pages 4-5 of the Official Action. The claims have been amended to remove or clarify the language objected to in the Official Action. Claims 1-12 have also been amended to clarify that the subcombination of the inner belt molding is being claimed in these claims. Accordingly, the Applicants request the withdrawal of the indefiniteness rejections.

Claims 1 and 2 were rejected under 35 U.S.C. 102(b) as being anticipated by WO 02/34556. Claims 1-5 and 11-13 were rejected under 35 U.S.C. 102(e) as being anticipated by Arata et al. (U.S. Patent No. 6,837,005). Claims 6-10 and 14 were rejected under 35 U.S.C. 103(a) as being unpatentable over Arata et al. in view of Vance (U.S. Patent No. 6,128,859). For the reasons discussed below, the Applicants request the withdrawal of the art rejections.

The Applicants note that a claim is anticipated only if each and every element as set forth in the claims is found, either expressly or inherently described, in a single prior art reference. *Verdegaal Bros. v. Union Oil Co. of California*, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). As will be demonstrated below, the cited references clearly do not meet each and every limitation of the independent Claims 1 and 13.

Claim 1 of the present application recites a vehicle inner belt molding comprising, among other features, an upward opening groove fittable with a downward flange portion, where the upward opening groove has a projection projecting from a wall of the upward opening groove. Additionally, Claim 13 recites a sealing structure comprising, among other features, an upward opening groove fittable with a downward flange portion, where the upward opening groove has a projection projecting from a wall of the upward opening groove. The cited references fail to disclose the above features.

The WO 02/34556 reference is cited for a motor vehicle door having an inner shell (1) and an outer shell (2) with a channel seal (3). The Official Action cites the portion of seal (3) that is between feature (32) and feature (31) for the teaching of the upwardly opening groove of Claim 1 of the present application. As is evident from a review of Figure 2, the portion of seal (3) that is between feature (32) and feature (31) does not include a projection projecting from a wall thereof, as is expressly recited in amended Claim 1 of the present application. Accordingly, the Applicants respectfully request the withdrawal of the anticipation rejection of Claim 1 based on the WO 02/34556 reference.

The Arata et al. reference describes a weatherstrip for an automobile that includes an attaching portion having an inverse U-shaped cross-section. The Official Action cites the concave groove (6) on guide (7) for the teaching of the upwardly opening groove of Claims 1 and 13 of the present application. As is evident from a review of the figures of the Arata et al. reference, the groove (6) does not include a projection projecting from a wall thereof, as is expressly recited in amended Claims 1 and 13 of the present application. The raised portion on guide (7) forms the side wall of the groove (6) (without that feature there would be no groove (6)), and does not have any type of projection projecting therefrom. Accordingly, the Applicants respectfully request the withdrawal of the anticipation rejections of Claims 1 and 13 based on the Arata et al. reference.

The dependent claims are considered allowable for the reasons advanced for the independent claim from which they depend. These claims are further considered allowable as they recite other features of the invention that are neither disclosed nor suggested by the applied references when those features are considered within the context of their respective independent claim.

Newly added Claim 18 is believed to be in condition for allowance as it recites “a back surface of the trim board has a positioning rib projecting downward therefrom, the positioning rib being engageable with the positioning slit, and the positioning rib being unitary with the trim board,” in accordance with the suggestion provided on page 7 of the Official Action.

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Consequently, in view of the above discussion, it is respectfully submitted that the present application is in condition for formal allowance and an early and favorable reconsideration of this application is therefore requested.

Respectfully Submitted,

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